



WILLIAMS, PORTER, DAY & NEVILLE P.C.

Wyoming's Law Firm

Exhibit H

Amazon Defendants' Reply Brief in Support of
Their Motion for Protective Order
DeBeer v. Amazon Logistics, Inc., et al.

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Attorneys for Amazon Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

KIMBERLY DEBEER, surviving spouse and)
wrongful death personal representative of)
DANIEL DEBEER, deceased,)
)
Plaintiffs,)
)
v.) Civil No. 23-CV-33-ABJ
)
AMAZON LOGISTICS, INC. d/b/a)
PRIME, AMAZON.COM, INC.,)
AMAZON.COM SERVICES LLC,)
AAF555 LLC, NORTHWEST EXPRESS, LLC,)
ASD EXPRESS, LLC, and JUSTIN NZARAMBA)
)
Defendants.)

DECLARATION OF STEVE DASGUPTA

I HEREBY DECLARE under the penalties of perjury that the following is true and correct:

1. My name is Steve DasGupta.
2. I am Amazon's Director of North America Surface Transportation Safety commencing March 2021 to the present. As the Director, I lead the North American Surface Transportation Safety Team. I oversee a team of approximately 100 employees. However, my team interacts with, receives reports from, and relies on the work of numerous other teams, exponentially increasing the number of my indirect reports. Amazon Directors are the third level of management after the presidents and vice-presidents. In the Amazon corporate structure, I am considered an executive level employee.

3. As the Director of Amazon's North American Surface Transportation Safety Team, I maintain executive level oversight of motor carriers that provide transportation services to Amazon.
4. In my capacity as the Director of North American Surface Transportation Safety, my duties and responsibilities include overall management of the safety and compliance of our middle mile transportation operations. I have extremely limited involvement with the selection, and retention of individual motor carriers, motor vehicle accidents, individual motor carriers, or their drivers.
5. I was recently informed that the plaintiffs in the above referenced matter seek to take my deposition in this case which I have been told involves a motor vehicle accident that took place on March 31, 2021 on Interstate 80 in Sweetwater County, Wyoming at about 3:05 PM involving a semi-tractor trailer being operated by Justin Nzaramba ("Nzaramba"), a driver for motor carrier Northwest Express, LLC ("Northwest").
6. I have no direct or intimate personal knowledge about the accident which is the basis of this claim, Defendant Nzaramba, Defendant Northwest or the other named Defendants. I did not work with, speak to, monitor, supervise, or provide any sort of safety supports for Defendant Nzaramba, Defendant Northwest or the other named Defendants.
7. I did not personally investigate this accident. To be clear, I had no specific involvement with this accident, its reporting, the persons involved in the accident, and the selection or retention of Northwest or the other named Defendants.
8. More specifically:
 - a. While I am made aware of all fatal accidents, I have no specific personal knowledge of the facts or circumstances leading up to the incident which forms the basis for this suit.
 - b. I was not a witness to this accident.
 - c. To the best of my recollection, I have never met, spoken to, or otherwise communicated with Nzaramba or any of the principals of Northwest or the other named Defendants. As the director of the North American Surface Transportation Safety team, I generally do not have discussion with the transportation carriers or their drivers.
 - d. I do not know, and have never met, the plaintiffs.

- e. I do not recall any direct communication with any Amazon personnel stationed at the Franklin Township, New Jersey facility where the subject crash load was picked up.
 - f. I did not personally retain nor otherwise request the services of Northwest or the other named Defendants, or the driver involved in the accident, nor do I otherwise have any personal knowledge about their retention.
9. In my role with Amazon, I am not designated to provide testimony on behalf of Amazon relative to the policies, procedures, practices, or documents that govern the work done by the North American Surface Transportation Safety Team.
10. If there are any specific questions related to the subject crash, load management of motor carrier compliance with the requirements set forth in Amazon's Relay Terms of Services, or any other general safety policy or procedure questions relative to Amazon, there are any number of lower-level members of the North American Surface Transportation Safety Team, an Amazon corporate witness designee, or others who could adequately address such issues.
11. If I were forced to sit for a deposition in this claim, the functioning of Amazon's North American Surface Transportation Safety team would be adversely impacted by my absence. I would be required to gather documents responsive to the deposition notice, to prepare for the deposition and to sit for the deposition by the plaintiffs. I cannot anticipate how much time might be used to perform these tasks, but taking me away from my normal job responsibilities to perform this work would adversely impact the performance of work relative to safety functions.
12. In my executive role, I am the only Amazon employee with visibility across the North American Surface Transportation Safety team that can assure continuity of operations such that Amazon does not experience a disruption of services. Forcing me to give a deposition would cause a disruption of services to the financial detriment of Amazon.

DocuSigned by:

Steve DasGupta

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4/8/2024

Steve DasGupta
Director of North America Surface Transportation Safety
Amazon

Date